

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Andrew Robert Marks et al. Group Art Unit: 1614
Serial No.: 10/763,498 Examiner: Unknown
Filed: January 22, 2004 Docket No. 5199-139
For: NOVEL ANTI-ARRHYTHMIC AND HEART FAILURE DRUGS
THAT TARGET THE LEAK IN THE RYANODINE RECEPTOR
(RYR2)

December 6, 2004

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

**PETITION FOR REVIVAL OF A NONPROVISIONAL APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY
UNDER 37 C.F.R. §§ 1.137(b)**

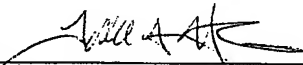
The above-identified nonprovisional application became abandoned for failure to file a timely reply to a Notice to File Missing Parts of Nonprovisional Application mailed on May 3, 2004 and subsequent Notice of Incomplete Reply (Nonprovisional) dated August 9, 2004. A response to the Notice of Incomplete Reply is being filed concurrently at the following address: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. A copy of the response is attached hereto.

Since this utility application was filed after June 8, 1995, no terminal disclaimer is required.

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional. Applicants hereby petition the Commissioner to revive the above-identified application under 37 C.F.R. § 1.137(b).

The Commissioner is hereby authorized to charge Deposit Account No. 02-4270 for the petition fee of \$685.00, as set forth under 37 C.F.R. § 1.17(m). Authorization is also given to charge any additional fees that may be required or credit any overpayment to our Deposit Account 02-4270.

Respectfully submitted,

By: 
Todd A. Holmbo, Attorney for Applicants
Reg. No. 42,685

BROWN RAYSMAN MILLSTEIN
FELDER & STEINER LLP
163 Madison Avenue
P.O. Box 1989
Morristown, NJ 07962-1989
Telephone No: 973-775-8919
Facsimile No: 973-775-8901